

A Phantom Crime Wave in the Capitol Building

Unpublished commentary article by Andrew Bell

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This year's legislative session has featured a number of bills aimed at rolling back aspects of [State Question 780](#), a criminal justice reform effort passed directly by the voters in 2016. SQ 780 raised the threshold for felony shoplifting from \$500 to \$1,000, and it reclassified some low-level, non-violent crimes as misdemeanors. This modest change has gone a long way toward reducing Oklahoma's incarceration rate — which was the world's second-highest at the time SQ 780 passed — and relieving overcrowding in our jails and prisons. Even better, the savings were to be set aside to fund local mental health and substance use disorder treatment programs (although unfortunately, [lawmakers dragged their feet on making that happen until just last year](#)).

Despite the success of SQ 780, [it has been under constant attack from some members of the legislature ever since it went into effect](#). The majority of this year's rollback bills focus on the shoplifting aspect — a few simply revert the threshold back to the original \$500 level, once again making it easier to hand down a felony charge, while others take a more elaborate approach. But in all of these cases, the end effect is the same: they seek to overrule the law that voters passed, and revert the substantial progress we've made as a state in improving our criminal justice system.

Given that Oklahomans voted to enact SQ 780 only a few years ago — [and that it seems to be as popular as ever, with 75 percent of Oklahoma voters supporting reforms to the state's criminal justice system](#) — surely the lawmakers supporting these rollback bills must have a compelling reason for writing them. According to [a press release from one lawmaker who authored several of these rollback bills](#), they were written as a response to some scary-looking numbers on crime: specifically, the authors claim to have data showing an unbelievable *164 percent increase* in shoplifting and larceny crimes in Oklahoma between 2017 and 2022.

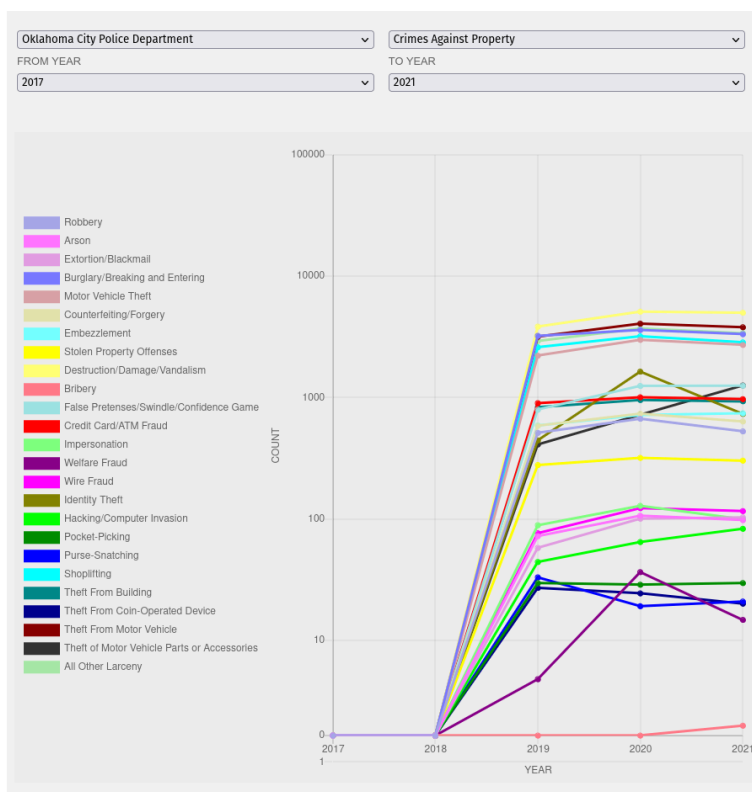
This shocking number, which has been making the rounds at the capitol throughout this legislative session, was pulled from [the Oklahoma State Bureau of Investigation's crime statistics website](#), which offers some data on crime reports in each county. The authors seem to have filtered the data on OSBI's site to show "Crimes Against Property" from 2017 to 2021, with all agencies lumped together, and then taken the resulting numbers at face value. Doing this shows 57,771 reports of crimes against property in 2017 and 152,267 reports in 2021, i.e. the purported 164 percent increase.

But if this 164 percent number is real, it isn't just an increase — it would be a massive, sustained crime wave, with theft of property more than *doubling* in just a few short years. The similar claims they make about "crimes against people" paint an even more dire picture, suggesting that violent crimes like murder and assault have shot up a terrifying 171 percent just since 2017. But it's hard to square the astonishing, alarmist narrative these numbers suggest with the reality we see outside our doors. And it's hard to imagine that something as small as tweaking the felony larceny threshold by \$500 could cause Oklahoma to devolve into "The Purge" in such a short timespan. So what's really going on here?

The answer, as is often the case, can be found in the methodology section. What the lawmakers pushing these inflated claims seem to have missed is that the numbers on OSBI's website **don't actually reflect the total number of crimes being reported**. The website very clearly states that its numbers only reflect a specific, new type of crime report, known as a "SIBRS" report, which provides more information than the outdated "UCR" reports that were used in years past. This reporting changeover is why the most recent OSBI annual report for 2021 stopped including year-over-year comparisons.

OSBI has been phasing in this SIBRS reporting standard across Oklahoma's many jurisdictions over the past few years, but the rollout has been slow. Many of the biggest law enforcement agencies, including Oklahoma City and Tulsa police departments, only transitioned to this new reporting system in the last 3-4 years, in the middle of the

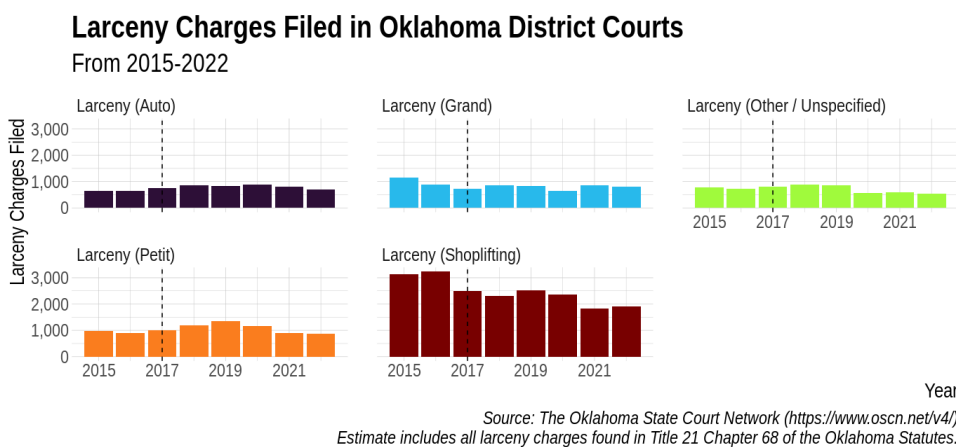
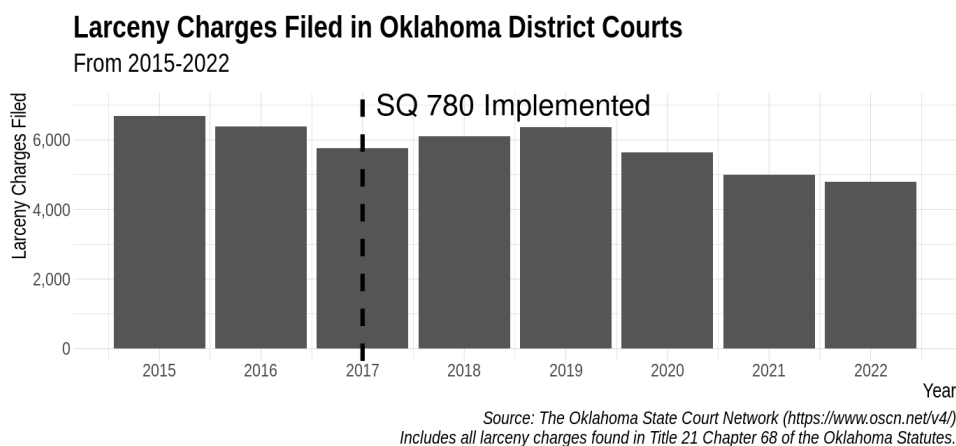
timespan of the authors' claim. As a result, these agencies made **zero** SIBRS crime reports in the years before they switched, creating a huge, but totally illusory “increase” during the year when SIBRS reporting began.



The Oklahoma City Police Department began reporting data using SIBRS in 2019, so years prior to that are shown with zero instances of reported crime on the OSBI Crime Stats website. This is why the methodology section warns against using their website to look at more than one agency's year-to-year changes at a time. If we didn't know about this transition to SIBRS, we might falsely conclude that 2019 was the year that Oklahoma City transitioned from a community completely free of crime to one suffering tens of thousands each year.

It's pretty easy to find a big “increase” in crime if you only start counting reports from Oklahoma City and Tulsa halfway through the period you're examining. This is a critical, fundamental mistake that OSBI's website explicitly cautions against – the methodology section clearly states that “crime trends **will not be accurate** unless the query is limited to a **specific agency** and a time period which follows the agency's transition to SIBRS.” Failing to heed this warning and blindly lumping all the reporting agencies together led some legislators to the false conclusion that crime must be increasing. In reality, all the data was telling them was that *SIBRS reporting* has been increasing.

We reached out to OSBI’s crime statistics office, who confirmed that the purported “increase in property crime” is not actually an increase in crime at all — it’s just showing the ongoing implementation of the SIBRS report format. In fact, we haven’t been able to find any evidence whatsoever that property crimes are increasing or elevated from 2017 levels. Data aggregated from the Oklahoma State Court Network website show that charge filings in district courts for larceny crimes have been stable or down over the timespan the authors cite, and the FBI’s Uniform Crime Reporting (UCR) data also reports that all forms of property crimes in Oklahoma have steadily decreased for decades, even after the passage of SQ 78



Our analysis of Oklahoma State Court Network data shows no evidence of the “crime wave” cited by lawmakers. Larceny charges as a whole are filed less often in recent years than before the passage of SQ 780, and charges for shoplifting specifically -- referred to as “larceny of merchandise” in statutes -- are down even more.

In short, just a little bit of due diligence makes it clear that the “crime wave” these SQ 780 rollbacks purport to solve is nothing more than a “wave” of improved crime reporting standards. That’s not scary at all – in fact, it means we have better information now about crime than we used to, which is a *good* thing. It only looks scary if you don’t read the details and fundamentally misunderstand what the data is telling you, as opponents of SQ 780 have done. This is a stark example of how data can be misinterpreted in critical ways when we fail to thoughtfully consider it from every angle – or at least take a minute to read the methodology section. And given that the “164% increase in property crimes” they purport to solve doesn’t actually exist, the authors of the SQ 780 rollbacks should withdraw their bills and move on to solving the many real issues Oklahomans are facing every day.

The legislative hysteria around this phantom “crime wave” also underscores [the need for a more thoughtful, careful, and conservative approach to “data-backed policy” at the capitol.](#) It’s an important reminder that throwing “data” around without context or genuine understanding can be worse than unhelpful – sometimes, it can be downright harmful. If these SQ 780 rollback bills pass into law, thousands of Oklahomans could be staring down felony charges for non-violent crimes. If convicted, they could face prison time, thousands of dollars in fines and fees, a lifetime of struggling to secure housing and employment, and even the prospect of losing their right to vote. The idea of this happening to people in our community over \$500, simply because some politicians failed to read a methodology section closely enough, is heart-breakingly absurd and simply unacceptable.